THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6833 of 2007

Date: 10.04.2007

Between:

Smt Alivelu Manga Tayaru.

....Petitioner

And

The Assistant Engineer (Operations) and another.

....Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.6833 of 2007

O R D E R:

The petitioner is the owner of a Stone Crusher Unit at Decherla Village, Kovvur Mandal, West Godavari District, and it is provided with power supply through Service Connection No.20. The power supply was disconnected on 01.04.2007. The petitioner states that she was neither issued any notice nor informed of the reasons for the disconnection of power supply. She pleads that the consumption charges are being paid from time to time without any default.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It is represented on behalf of the respondents that the power supply to Service Connection No.20 of Decherla Village was disconnected, on the ground that the husband of the petitioner did not pay the consumption charges, in respect of another Service Connection viz.,

N.B.Service No.856 of Duddukuru Village. In fact, on insistence by the petitioner, a letter, dated 01.04.2007, was issued by the respondents to that effect.

Even assuming that the husband of the petitioner fell in arrears in payment of consumption charges for any service connection standing in his name, the power supply to the Stone Crusher Unit held by the petitioner cannot be disconnected. The mere fact that the petitioner and her husband are living together does not constitute a ground for the respondents to disconnect the power supply to the Service Connection, standing in the name of the petitioner. It shall always be open to them to proceed against the husband of the petitioner and recover the arrears. This Court passed an interim order on 03.04.2007 and the power supply is said to have been restored.

Hence, the Writ Petition is disposed of, directing the respondents to continue power supply to the Service Connection standing in the name of the petitioner, as long as she pays the consumption charges. It shall, however, be open to them to proceed against the husband of the petitioner, to recover the arrears, if any. There shall be no order as to costs.

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10.04.2007

JSU